

**MINUTES OF THE LAFAYETTE COMMON COUNCIL
JULY 12, 1999
REGULAR SESSION**

The Common Council of the City of Lafayette, Indiana met in Regular Session on Monday, July 12, 1999, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Probasco called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Boehning, Meyer, Phillips, Brown, Rhoda, Fisher, Smith, Probasco
Absent: Campbell

The Clerk stated that there was a quorum present.

Councilman Boehning moved to approve the Minutes of the June 7, 1999 regular meeting, Councilman Phillips seconded. Councilman Phillips stated that on page 3 under Resolution 99-19 "imminent" should be "eminent." Councilman Boehning stated that under Ordinance 99-10 "roved" should be "moved" and also under 99-19 "to" should be deleted from the sixth line after "limit." The scrivener's errors were accepted by unanimous voice vote. The minutes, with the noted scrivener's errors, were approved by unanimous voice vote.

The Clerk stated that there were no Presentations or Disposal of Claims or Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Clerk's Office Monthly Report– May 1999
Motor Vehicle Report – May 1999
Police Traffic Report – May 1999
Police Department Monthly Reports - May and June 1999
Miscellaneous Monthly Department Reports

Ordinances for Second Reading:

The Clerk read Ordinance 99-17 (An Ordinance Amending the 1999-2000 Salaries for the Fire Department) by title only for second and final reading. Councilman Fisher moved for passage, Councilman Smith seconded. Ordinance 99-17 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-20 (An Ordinance Amending Ordinance 98-38 Pertaining to School Crossing Guards) by title only for second and final reading. Councilman Phillips moved for passage, Councilman Meyer seconded. Ordinance 99-20 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-21 (An Ordinance Replacing the Existing Code of Ordinances with a Technically Revised Code of Ordinances for the City of Lafayette, Indiana) by title only for second and final reading. Councilman Phillips moved for passage, Councilman Rhoda seconded.

Councilman Meyer reiterated that this would not actually change any ordinances it just revises the format of the existing code. Ordinance 99-21 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-22 (An Amendment to Ordinance 98-32 Inclusion of Certain Property in the Local Ninth Street Hill Historic District in the City of Lafayette, Indiana) by title only for second and final reading. Councilman Boehning moved for passage, Councilman Brown seconded. Ordinance 99-22 passed 7-0 on a roll call vote.

Ordinances for First Reading:

The Clerk read Ordinance 99-23 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate, from R3 to PDRS, Joseph Bumbleburg, Shenandoah West Planned Development, Petitioner) by title only for first and final reading. Councilman Fisher moved for passage, Councilman Smith seconded. Councilman Boehning excused herself due to a possible conflict of interest. Joseph Bumbleburg, representing the petitioner, explained the proposal in detail. Councilman Smith stated that there have been problems with traffic and inquired about the possibility of creating more traffic. Mr. Bumbleburg stated that Union Street should adequately meet the increased traffic needs. Councilman Meyer expressed his concern about the impact of increased traffic. Councilman Fisher asked Scott Giese to address the planned development concept. Scott Giese, 1001 E. Ohio, Monticello, further explained the project. Councilman Smith asked how many units would be occupied by families. Mr. Giese stated that the 2 and 3 bedroom units are attractive to families. Ordinance 99-23 passed 6-0 on a roll call vote. Councilman Boehning returned to the meeting.

The Clerk read Ordinance 99-24 (An Ordinance Amending Chapters 1 and 3 of Ordinance 97-51 being the Unified Zoning Ordinance of Tippecanoe County, Amendment 12) by title only for first and final reading. Councilman Meyer moved for passage, Councilman Rhoda seconded. Ordinance 99-24 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-25 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate, from R3, GB, CB, FP and PDMX to R2U, NBU, GB, CB, FP and PDMX, Area Plan Commission of Tippecanoe County, Petitioner (Remapping the Zoning Districts in Downtown Lafayette, Wabash River, Ferry Street, Norfolk and Southern Railroad Tracks and South Street) by title only for first and final reading. Councilman Rhoda moved for passage, Councilman Smith seconded. Ordinance 99-25 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-26 (An Ordinance Approving a Lease Amendment Between Lafayette Redevelopment Authority and Lafayette Redevelopment Commission) by title only for first reading. Councilman Boehning moved for passage, Councilman Brown seconded. Sherry McLauchlan, Lafayette Redevelopment Department, explained the proposal for the construction of a city fueling facility. Councilman Meyer inquired about the cost of the facility. Ms. McLauchlan explained what would be included in this proposal. Councilman Meyer inquired about the commitments that were made to the neighbors by the administration regarding the appearance of the site. Ms. McLauchlan explained the site plan and the development of a master plan for the entire site. Councilman Meyer inquired about other possible sites for fueling. Ms. McLauchlan explained that all city property was examined for this purpose and that there are a variety of problems with the other properties. President Probasco stated that the property is currently not appealing and this is an opportunity to make substantial improvements to the property. Councilman Phillips inquired about the current fueling arrangements. Ms. McLauchlan explained that the city is currently utilizing private vendors and the Sheriff's department to supply fuel to city vehicles. Liz Rausch, 642 New York Street, spoke against the proposal. Bob

Carpenter, chairman of the Southside Neighborhood Improvement Coalition (SNIC), stated that he would encourage council to support the Mayor's commitment to make certain that the project is successful to the city and the neighborhood. Ordinance 99-26 passed 6-1 on a roll call vote with the vote being as follows:

Ayes: Boehning, Meyer, Phillips, Rhoda, Fisher, Smith
Nays: Brown

The Clerk read Ordinance 99-27 (An Ordinance to Vacate a Water and Utility Easement on Lots 2 and 3 in Diamant Subdivision of the City of Lafayette, Fairfield Township, Tippecanoe County, Indiana, Aegean Management, LLP, Petitioner) by title only for first reading. Councilman Rhoda moved for passage, Councilman Phillips seconded. Tom Brooks Jr., representing the petitioner, explained the proposal. Mr. Brooks stated that there are no utilities located in the easement. Ordinance 99-27 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-28 (An Ordinance to Vacate a Utilities and Drainage Easement on Lot 9 in Triton Commercial Subdivision of the City of Lafayette, Wea Township, Tippecanoe County, Indiana, Alan D. White, Petitioner) by title only for first reading. Councilman Smith moved for passage, Councilman Fisher seconded. President Probasco asked Opal Kuhl, City Engineer, for an explanation of the proposal. Ordinance 99-28 passed 7-0 on a roll call vote.

The Clerk read Ordinance 99-29 (An Ordinance to Vacate a Utilities and Drainage Easement on Lot 10 in Triton Commercial Subdivision of the City of Lafayette, Wea Township, Tippecanoe County, Indiana, R. Michael O'Malley and Alan D. White, Petitioners) by title only for first reading. Councilman Boehning moved for passage, Councilman Meyer seconded. Ordinance 99-29 passed 7-0 on a roll call vote.

Resolutions:

President Probasco stated that Resolution 99-18 (A Resolution Creating the Animal Control Commission) would remain tabled.

There were no Reports of Standing Committees or Reports of Special Committees.

Report by Mayor Heath: Mayor Heath reiterated his commitment to make the fueling project a facility to be proud of and he thanked the neighborhood for all of their input on the project. Mayor Heath stated that the Tropicanoe Cove Family Aquatic Center is going very well and that the center is averaging over 950 paid admissions per day. Mayor Heath stated that there were 2,200 admissions on July 5. Mayor Heath stated that South 9th Street and Beck Lane would soon be paved and marked. Mayor Heath reported on the progress of the Columbia Block building. Mayor Heath stated that the 2000 city budget is being developed, the resurfacing program throughout the city is moving along well, and the Mayor thanked the legislature for additional funds to help resurface streets. Mayor Heath stated that the street inventory has been very helpful to identify roads to be paved. President Probasco asked about the railroad bridge that is being proposed on the south side of town. Mayor Heath explained the proposed project to extend Brady Lane over the railroad tracks between 9th and 18th Streets. Councilman Meyer inquired about where the funding for the bridge would come from and Mayor Heath stated that the county is responsible for the funding of construction of bridges from the county bridge fund. President Probasco commended the Mayor for pursuing the construction of this bridge.

Miscellaneous and New Business: Councilman Boehning moved to re-appoint Kevin Bol to the Common Wage Board, Councilman Fisher seconded. The motion passed by unanimous voice vote.

Reports of Councilmen: Councilman Fisher expressed his gratitude to the community for their kindness upon the death of retired Lafayette Fire Chief Phil Barker. President Probasco commented on Mr. Barker's service to the community.

President Probasco stated that the September 13, 1999 regular council meeting would be moved to Wednesday, September 8, 1999.

President Probasco stated that he appreciates the outstanding job that is being done by the Police Department patrol officers.

Public Comment: Larry Giroux, 3324 US 52 South, Chairman of Clean Air Now, invited everyone to attend the next quarterly Staley South public meeting on Thursday, July 29, 1999 at 5:00 p.m.

Phyllis Hunt encouraged continued cooperation regarding the city fueling station project.

Kathy Shedd, 2440 Oxford Street, spoke regarding safety issues related to ponds with steep slopes in the City of Lafayette.

There being no further business to come before the Council, Councilman Fisher moved to adjourn, Councilman Rhoda seconded. The motion to adjourn passed by unanimous voice vote. Time being 8:08 p.m.

Minutes prepared by Lisa Decker, City Clerk.

A tape recording of this council meeting is maintained in the City Clerk's Office.